

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

Walter Redmond  
v.  
San Francisco Police Dept.  
San Francisco Sheriff  
City of San Francisco  
County of San Francisco et al,  
Defendants

FILED  
DEC 21 PM 4:47  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
MOTION  
PETITIONING THE  
COURT TO ORDER  
DEFENDANTS TO  
REPLY  
Civil Action No. \_\_\_\_\_

#MOTION ORDERING DEFENDANTS TO REPLY#

I Walter Redmond am the plaintiff in the above entitled case. I do hereby respectfully request and petition the court to grant a motion ordering defendants to reply to the complaint #C 07 4276 CW (PR). This case has exceeding merit, and that merit will manifest itself at the trial.

Walter Redmond

12-15-07

San Bruno, Ca. 94066

CASE#: C 07 4276 CW (PR)

# S.F. is toughest on black drug offenders

By Leslie Fulbright  
CHRONICLE STAFF WRITER

San Francisco imprisons African Americans for drug offenses at a much higher rate than whites, according to a report to be released today by a nonprofit research institute.

In a study of nearly 200 counties nationwide, the Justice Policy Institute found that 97 percent of large-population counties have racial disparities between the number of black people and white people sent to prison on drug convictions.

The institute, which is based

in Washington, D.C., and researches public policy and promotes alternatives to incarceration, says whites and African Americans use illicit drugs at similar rates. But black people account for more than 50 percent of sentenced drug offenders, though they make up only 13 percent of the nation's population.

San Francisco locks up a higher percentage of members of the African American community in drug cases than any other county in the study. In the county, 123 people out of every 100,000 are

DISPARITY: Page A10

WEDNESDAY, DECEMBER 4, 2007

## Toughest on black offenders

DISPARITY  
From Page A1

sent to state prison each year for drug offenses. Of those, whites are incarcerated at a rate of 33 per 100,000 white people, while blacks are incarcerated at a rate of 1,013 per 100,000 black people.

"It is not that San Francisco is sending a lot of people to prison for drug offenses, it is that the people they are sending are black," said Jason Ziedenberg, executive director of the institute. "An average citizen who uses drugs in San Francisco has a pretty low chance of going to prison, but if you are African American, the chances are fairly high."

Over the past 35 years, the rate at which the United States imprisons citizens has risen dramatically, and the increase has been driven in large part by drug offenses, according to the report. Between 1996 and 2002, the number of people in jail for drug offenses increased by about 47 percent.

San Francisco has a small population of African Americans — 6.7 percent of the total, according to the Census Bureau's 2006 American Community Survey — but Ziedenberg said the numbers have a concentrated impact within that community. African Americans are going to prison for drug offenses at a rate that is 28 times higher than the rate for whites.

"If you go to any courtroom in the Hall of Justice, you will see that the majority arrested are African American," said San Francisco Public Defender Jeff Adachi. "At every stage of the criminal process — arrest, conviction and those who are sent to prison — there is a disproportionate impact on blacks." (By Bust)

"It is a tradition in San Francisco to focus sting operations in communities where there are larger populations of African Americans, and there are state and federal grants that support those stings." Fed money

Alameda and San Mateo counties also have disproportionately high rates of incarcerating African Americans for drug offenses, according to the report. In Alameda County, 159 per 100,000 people are admitted to prison each year for drug offenses. Of those, whites are imprisoned at a rate of 23 per 100,000 white people, while blacks are incarcerated at a rate of 797 per 100,000 black people.

In San Mateo County, 76 out of every 100,000 people are admitted to prison each year for drug offenses. Of those, whites are imprisoned at a rate of 26 per 100,000 white people, while blacks are incarcerated at a rate of 946 per 100,000 black people.

In addition to the racial disparities, the report found that counties that spend more on policing and the judicial system im-

prison people for drug offenses at higher rates, even if the crime rate isn't higher. It also found that counties with higher poverty and unemployment rates send people to prison more.

An investigation into arrest rates by The Chronicle last year found that police in San Francisco arrest African Americans for serious crime at a much higher rate than in the state's other biggest cities.

At the time of that report, San Francisco police cited several factors that contribute to the disparity. Police officials said most of the dealers coming from out of town by BART or car to sell drugs are African Americans; that black drug dealers often sell out in the open on street corners, increasing their chances for arrest; and that the department devotes a lot of resources to combatting gangs of youths responsible for many of the city's black-on-black homicides.

Tim Silard, chief of policy for the San Francisco district attorney's office, said the new report was disturbing but that the disparity is likely the result of higher arrest rates among African Americans.

"Data show that San Francisco's charging and conviction rates are actually fairly consistent across racial lines," Silard said. "At the same time, the data show that African Americans in San Francisco are arrested for felonies at three and four times the

But Adachi, the public defender, said it doesn't matter.

"The arrests may be higher, but it is the district attorney's job to ensure that charging practices don't discriminate," Adachi said. "Law enforcement is law enforcement."

Dorsey Nunn, a co-founder of All of Us or None and a longtime prisoner rights activist, said the numbers were unexpected.

"I see innovative work happening in San Francisco that is getting young people of color into programs," he said. "The disparity in this report is surprising."

The report is based on 2002 figures from the U.S. Bureau of Justice Statistics and 2006 numbers from the National Corrections Reporting Program.

E-mail Leslie Fulbright at fulbright@sfchronicle.com